

passion did not blind him. He was clear, incisive, instructional, and inspirational. He was a tireless champion for peace and justice. Ron Dellums will always be remembered as one of Congress' great orators, colorfully and articulately dancing in the well of the House to draw support for his positions.

Naming this Federal building in Oakland for Ron Dellums will serve as an opportunity to rededicate ourselves to the challenges that our colleague championed. If we learn to carry the convictions of a more just society with us to work every day as he did, perhaps we will be able to make America an even better place and the world a bit safer.

I would like to thank my colleague from California, JERRY LEWIS, for his coauthorship of this bill, and the 104 members who are original cosponsors. In addition, I extend my thanks to the members of the House who approved this bill in the 105th Congress. Unfortunately we were not able to secure passage of the bill before the end of the session. But I introduce this legislation again today with confidence that it will reach the President's desk for signature. Ron will finally be recognized with a fitting monument for his 27 years of service to this institution and to our country.

The people who will go in and out of this building with Ron's name on it can take pride in knowing that he cared about them, he fought for them, and he left a mark in Congress and in this country in their names.

HONORING MR. WILLIAM R. SNODGRASS, FOR HIS SERVICE AS THE COMPTROLLER OF THE TREASURY FOR THE STATE OF TENNESSEE

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Mr. William R. Snodgrass, and his service to the State of Tennessee, as Comptroller of the Treasury.

Mr. Snodgrass will retire from the State of Tennessee after fifty-two years of faithful service, on January 22, 1999. Forty-four of the fifty-two years he served as the Comptroller of the Treasury, which is an unprecedented feat. He will be greatly missed.

Mr. Snodgrass, a native Tennessean from White County, Tennessee, was elected Comptroller of the Treasury by the Tennessee General Assembly in January 1955, and continually reelected each successive General Assembly through the 100th General Assembly, after which he announced his retirement.

William Snodgrass graduated from David Lipscomb College in 1942, and then left for service in the U.S. Military forces from 1943–1946. Upon returning from his tour of duty, he continued his education, and received a B.S. in Accounting from the University of Tennessee in 1947. He began his career as an appointed research assistant at the University of Tennessee the same year. In 1953, Mr. Snodgrass was appointed director of Budget and director of Local Finance for the State of Tennessee.

William Snodgrass began his service as Comptroller of the Treasury for the state of Tennessee under my father, Governor Frank

G. Clement in 1955. His friendship to my family over the years has been invaluable. As a young man I admired William Snodgrass for his work ethic, his tremendous loyalty to friends and family, and his dedication to the State of Tennessee. Today, I continue to admire him for these same qualities.

Mr. Snodgrass has faithfully served the citizens of the State of Tennessee for the past fifty-two years. His achievements have not gone unnoticed, for William Snodgrass has been recognized by his peers as well, receiving the Outstanding Municipal Performance Audit Award from the Council on Municipal Performance in 1980; the Donald L. Scantlebury Memorial Award for Distinguished Leadership in Financial Management for Joint Financial Improvement Program in 1988, the Distinguished Leadership Award from the Association of Government Accountants in 1988; and the Award for Excellence in Governmental Auditor Training Seminars from Government Finance Officers Association in 1988.

William Snodgrass has served as an outstanding example of faithfulness to his peers, his family, and the citizens of Tennessee. I wish him the best in his retirement.

INTRODUCTION OF LEGISLATION

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce a bill to provide improved administrative procedures for the Federal recognition to certain Indian groups.

Mr. Speaker, I have been working on this issue now for over seven years. In 1994, the House passed similar legislation but that effort died in the Senate. Although this legislation was defeated in the House late last year, we are still faced with an expensive, unfair process through which Indian groups seeking federal recognition must go. I still wish to help address the historical wrongs that the two hundred unrecognized tribes in this nation have faced. This bill streamlines the existing procedures for extending federal recognition to Indian tribes, removes the tremendous bureaucratic maze and subjective standards the Bureau of Indian Affairs has placed against recognizing Indian tribes, but also provides due process, equity and fairness to the whole problem of Indian recognition.

Mr. Speaker, a broad coalition of unrecognized Indian tribes has advocated reform for years for several reasons. First, the BIA's budget limitations over the years have, in fact, created a certain bias against recognizing new Indian tribes. Second, the process has always been too expensive, costing some tribes well over \$500,000, and most of these tribes just do not have this kind of money to spend. I need not remind my colleagues of the fact that Native American Indians today have the worst statistics in the nation when it comes to education, economic activity and social development. Indeed, Mr. Speaker, the recognition process for the First Americans has been an embarrassment to our government and certainly to the people of America. If only the American people can ever feel and realize the pain and suffering that the Native Americans have long endured, there would probably be another American revolution.

Mr. Speaker, the process to provide federal recognition to Native American tribes simply takes too long. The Bureau of Indian Affairs has been completing an average of 1.3 petitions per year. At this rate, it will take over 100 years to resolve questions on all tribes which have expressed an intent to be recognized.

Mr. Speaker, the current process does not provide petitioners with due process—for example, the opportunity to cross examine witnesses and on-the-record hearings. The same experts who conduct research on a petitioner's case are also the "judge and jury" in the process!

In 1996, in the case of *Greene v. Babbitt*, 943 F. Supp. 1278 (W. Dist. Wash.), the federal court found that the current procedures for recognition were "marred by both lengthy delays and a pattern of serious procedural due process violations. The decision to recognize the Samish took over twenty-five years, and the Department has twice disregarded the procedures mandated by the APA, the Constitution, and this Court," (p. 1288). Among other statements contained in Judge Thomas Zilly's opinion were: "The Samish people's quest for federal recognition as an Indian tribe has a protracted and tortuous history . . . made more difficult by excessive delays and governmental misconduct." (p. 1281) And again at pp. 1288–1289, "Under these limited circumstances, where the agency has repeatedly demonstrated a complete lack of regard for the substantive and procedural rights of the petitioning party, and the agency's decision maker has failed to maintain her role as an impartial and disinterested adjudicator . . ." Sadly, the Samish's administrative and legal conflict—much of which was at public expense—could have been avoided were it not for a clerical error of the Bureau of Indian Affairs which 29 years ago, inadvertently left the Samish Tribe's name off the list of recognized tribes in Washington.

With a record like this, it is little wonder that many tribes have lost faith in the Government's recent recognition procedures. President Clinton has acknowledged the problem. In a 1996 letter to the Chinook Tribe of Washington, the President wrote, "I agree that the current federal acknowledgment process must be improved." He said that some progress has been made, "but much more must be done."

To those who say we should retain the current criteria, and not permit tribes which have been rejected under the current administrative procedure to apply for reconsideration, I say read the *Greene* case. It is rare that a court is so critical of an executive agency, but in this case there clearly is a problem. This bill addresses the problem directly.

Mr. Speaker, the legislation I am introducing today will eliminate the above concerns by establishing an independent three member commission which will work within the Department of the Interior to review petitions for recognition. This legislation will provide tribes with the opportunity for public, trial-type hearings and sets strict time limits for action on pending petitions. In addition, the bill streamlines and makes more objective the federal recognition criteria by aligning them with the legal standards in place prior to 1978, as laid out by the father of Indian Law, Felix S. Cohen in 1942.

Some have expressed concern that this bill will open the door for more tribes to conduct gambling operations on new reservations. While I cannot say that no new gambling operations will result from this bill, I do believe that

this bill will have only a minimal impact in this area. I would like to remind my colleagues that: unlike state-sponsored gaming operations, Indian gaming is highly regulated by the Indian Gaming Regulatory Act; before gaming can be conducted, the tribes must reach an agreement with the state in which the gaming would be conducted; under IGRA (the Indian Gaming and Regulatory Act) gaming can only be conducted on land held in trust by the federal government; and any gaming profits can only be used for tribal development, such as water and sewer systems, schools, and housing.

The point I want to make is even if an Indian group wanted to obtain recognition to start a gambling operation, they couldn't do it just for that purpose. Ninety percent of the substance of the current criteria are unchanged in the bill before us today. For a group to obtain federal recognition, it would still have to prove its origins, cultural heritage, existence of governmental structure, and everything else currently required.

Should that burden be overcome, a tribe would need a reservation or land held in trust by the federal government. This bill makes no effort to provide land to any group being recognized.

If the land issue is overcome, under the Indian Gaming Regulatory Act, a tribe cannot conduct gaming operations unless it has an agreement to do so with the state government. A prior Congress put this into the law in an effort to balance the rights of the states to control gambling activity within its borders, and the rights of sovereign tribal nations to conduct activities on their land. The difficulty in obtaining gaming compacts with states made the national news for months last year because of the almost absolute veto power the states have under current law. The U.S. Supreme Court affirmed this reading of the law in *Seminole Tribe of Florida v. Florida*, 517 U.S. 44 (1996).

I want to emphasize this point—this is not a gambling bill, this is a bill to create a fair, objective process by which Indian groups can be evaluated for possible federal recognition.

Mr. Speaker, this bill is not perfect in every form, but it is the result of many hours of consultations. I have sought to work with the tribes and with the Administration to come up with sound, careful changes that recognize the historical struggles the unrecognized tribes have gone through, yet at the same time recognizes the hard work the Bureau of Indian Affairs has done lately in making positive changes through regulations to address these problems. We have reached agreement on almost every major issue, and these changes have been incorporated into this bill.

In conclusion, Mr. Speaker, I hope we can take final action on the issue of Indian recognition before this century ends and start the next century by addressing at least some of the wrongs of the past two centuries.

BANNING UNSECURED LOANS IN FEDERAL CAMPAIGNS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MINK of Hawaii. Mr. Speaker, we must restore accountability to our elections. One

way we can do this is to close a loophole where candidates may obtain unlimited, unsecured loans from banks to finance their campaigns. Banks are able to bankroll their chosen candidates by obtaining a mere signature on a loan form without obtaining security for repayment, as is customary in their normal course of business. In effect, candidates favored by a bank and its officers are given an unfair advantage.

The legislation I have introduced today puts an end to that. Under this legislation, banks will no longer be able to circumvent the current prohibition against making direct contributions to candidates.

Specifically, this legislation: prohibits all federal candidates from receiving an unsecured loan; requires repayment of any existing unsecured loan within 90 days of this bill's enactment; and prohibits candidates who have such unsecured loans from accepting personal funds from a board member or officer of the bank holding the loan.

I urge my colleagues to join me in closing this loophole. Let's not allow banks to bankroll any election. This ability of banks, using depositors' money to advance money to a chosen candidate is wrong and invites corruption. I urge my colleagues to co-sponsor my legislation that outlaws this practice.

INTRODUCTION OF LEGISLATION TO AMEND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). My bill would remove the authority for contracting oversight from the purview of the Environmental Protection Agency and place it solely under the jurisdiction of the Army Corps of Engineers.

Mr. Speaker, this change makes sense given the expertise of each agency. The Army Corps of Engineers is far better suited to handle contracting work and oversight of construction at a Superfund site than the more technical, environmental orientation of the EPA.

The reason why I am introducing this legislation today is in direct response to an incident that happened in my district during an already lengthy and tumultuous cleanup. Hopefully, passage of this legislation will prevent future situations, such as the one I am about to describe, from happening again.

The asbestos dump site in Millington, NJ is comprised of two residential farms and part of the Great Swamp National Wildlife Reserve. It contains large amounts of asbestos that was dumped on the property. On one of these two residential sites, the homeowners (a family of five), were involved in a lengthy clean-up with the EPA and had been relocated several times, for months at a time. The EPA had contracted out for the construction of the design. The EPA's contractor then hired a subcontractor, with a less than perfect track history, to complete construction of the design.

The EPA subcontractors, instead of bringing in clean fill to top the asbestos on the family's property, brought in contaminated soil from another site. This horrendous mistake has added additional years to the cleanup.

Mr. Speaker, again, I believe that the Army Corps is far better equipped to handle the details of the physical cleanup and to oversee the contracting work of these Superfund sites. This mistake in Millington added not only time and money, but additional grief for a family who wanted nothing less than to raise their children in the home of their dreams. I believe that my bill would prevent more situations like this and improve the efficiency of site cleanups.

MILOSEVIC DEFIES INTERNATIONAL
NATIONAL COMMUNITY ON
KOSOVO

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GILMAN. Mr. Speaker, this past weekend we once again heard of despicable, unspeakable crimes committed by Serbian police against unarmed men, women, and children. More than 40 ethnic Albanians were murdered in cold blood in the village of Racak in southern Kosovo. Now, in further defiance, Milosevic has ordered Ambassador William Walker, the American diplomat who heads the OSCE's Kosovo Verification Mission (KVM) to leave Serbia.

Milosevic's actions represent a complete rupture of the agreement he reached with Ambassador Richard Holbrooke, an agreement that led to the withdrawal of a NATO threat to bomb Serbia. Unless the international community responds to these acts, our word and our credibility will be deemed to be utterly worthless, and Milosevic will believe he can commit further atrocities with impunity.

I returned yesterday with a senior Congressional delegation that I led to meet with our friends and allies in Europe. We were briefed by General Wes Clark, the Supreme Allied Commander for Europe, who told us that Milosevic will never respond to anything other than the credible threat of force. General Clark is at present in Belgrade awaiting a meeting to deliver a strong message to Milosevic.

If Milosevic does not immediately fully comply with the agreement he made with Ambassador Holbrooke, the international community must respond swiftly and forcefully. We must not allow the situation in Kosovo to continue to deteriorate, nor allow the humanitarian situation there to return to the point of disaster that we experienced last summer.

INDIA REPUBLIC DAY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to one of the most important dates on the calendar for the people of India, as well as for the people of Indian descent who have